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SENATE BILL 2515
By McNally

AN ACT to amend Tennessee Code Annotated, Title 56; Title 63;
Title 68 and Title 71, relative to managed health care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, is amended by adding the following as a new section to be appropriately designated:

Section _____. Any accident or sickness insurance policy, contract or plan issued or renewed under this chapter or chapter 26, 27, 28, 29 or 32 issued on or after July 1, 1998, and any contract between an insurer, health maintenance organization, or managed care organization and a provider of health care services, shall not remove, attempt to exclude or in any manner hold harmless any insurer, health maintenance organization or managed care organization from any liability for negligence in patient treatment or care.

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 32, is amended by adding the following as a new section to be appropriately designated:

Section _____. (a) A managed care organization shall provide to any participant in a health plan or policy issued under this title relevant information concerning the organization's policies and procedures for accessing health care specialists, the policies and procedures concerning evaluating and reviewing patient care and treatment by health care providers, and information on the consumer's rights and appeal processes under Section 56-32-210 and this title.

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(b) The commissioner of commerce and insurance is authorized to promulgate rules and regulations to effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. Tennessee Code Annotated, Section 56-32-210(e)(2), is amended by deleting the second and third sentences of the subdivision and by substituting instead the language "The review by the commissioner shall be binding on the parties and shall constitute a final order for the purposes of Title 4, Chapter 5."

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.